

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CSAA

CASE NO. C 08-01642 EDL

Plaintiff(s),

v.

FRANKE, INC., et al.

STIPULATION AND [PROPOSED]
ORDER SELECTING ADR PROCESS

Defendant(s).
_____ /

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

☒ Private ADR (please identify process and provider) MEDIATION

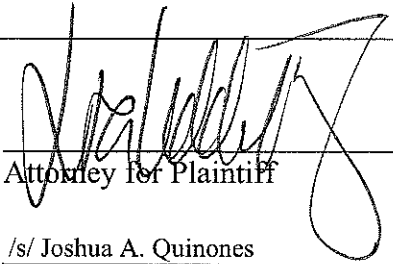
The parties have agreed to private mediation with Thomas H.R. Denver as mediator.

The parties agree to hold the ADR session by:

☒ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: 6/11/08



Attorney for Plaintiff

Dated: 6/11/08

/s/ Joshua A. Quinones

Attorney for Defendant

Dated: 6/11/08
—

/s/ John W. Shaw

Attorney for Defendant

[PROPOSED] ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

Mediation

✓ Private ADR

Deadline for ADR session

✓ 90 days from the date of this order.
other

IT IS SO ORDERED.

Dated: _____

UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF SANTA CRUZ) ss

I am over the age of eighteen (18) years and not a party to the within action. I am employed by the law firm of GRUNSKY, EBEL, FARRAR & HOWELL (the "firm"), and my business address is 240 Westgate Drive, Watsonville, California 95076.

On **June 11, 2008** I caused to be served the within **STIPULATION AND PROPOSED ORDER SELECTING ADR PROCESS** on the parties to this action, by placing a true copy thereof enclosed in a sealed envelope, addressed as follows and delivered in the manner indicated:

Attorneys for Defendant John Guest USA, Inc.:

John W. Shaw
Shaw, Terhar & LaMontagne, LLP
707 Wilshire Boulevard, Suite 3060
Los Angeles, CA 90017
Tel: (213) 614-0400
Fax: (213) 629-4534

Attorneys for Franke, Inc.:

Joshua A. Quinones
Wood Smith Henning & Berman LLP
505 N. Brand Blvd., Suite 1100
Glendale, CA 91203-1906
Tel: (818) 551-6000
Fax: (818) 551-6050

XXX

[By Mail]: I caused each envelope with postage prepaid to be placed in the United States mail at Watsonville, California. I am readily familiar with the business practices of the firm regarding the collection and processing of correspondence for mailing with the United States Postal Service. Pursuant to such business practices, and in the ordinary course of business, all correspondence is deposited with the United States Postal Service on the same day it is placed for collection and mailing.

[By Federal Express]: I caused each envelope to be delivered to Federal Express for overnight courier to the office(s) of the addressee(s).

[By Hand Delivery]: I caused each envelope to be delivered by hand on the office(s) of the addressee(s).

XXX

[By Fax]: On 6/11/08, I served the within document on the parties in said action by facsimile transmission, pursuant to Rule 2.306 of the California Rules of Court. A transmission report was properly issued by the sending facsimile machine and the transmission was reported as complete and without error.

[By e-mail] Pursuant to CCP 1010.6(6), and pursuant to authorization from ***, assistant to ***, I scanned and emailed correct copies of the above-entitled document to ***(e-mail address). A copy of the e-mail transmission is attached hereto.

I declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct, and that this declaration was executed on **June 11, 2008** at Watsonville, California.


Karen L. Machado